

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	CASE NO. DNCW 3:02CR16-MU
)	(Financial Litigation Unit)
LAREAL ANDRE HASKINS,)	
Defendant,)	
and)	
)	
BROWN & BROWN INC.,)	
)	
Garnishee.)	

ORDER OF GARNISHMENT

THIS MATTER is before the Court on the answer of Brown & Brown Inc., as the Garnishee. On April 1, 2003, the Honorable Judge Graham C. Mullen sentenced the defendant to one month of incarceration for his conviction of Bank Fraud in violation of 18 U.S.C. §1344. Judgment in the criminal case was filed on April 15, 2003. As part of that Judgment, the defendant was ordered to pay an assessment of \$500.00 and restitution of \$61,181.96 to the victims of the crime.

The Government now seeks to garnish the defendant's earnings from the garnishee. The garnishee filed an Answer on September 21, 2010, stating that at the time of the service of the Writ, the garnishee had in their custody, control or possession property of funds owned by the debtor, including non-exempt disposable earnings. However, the Answer of the Garnishee also stated that the defendant's wages are currently being garnished 10% of gross income for delinquent North Carolina State taxes. As the North Carolina State tax garnishment is 10% of the defendant's gross earnings, the Government seeks to garnish 15% of the defendant's gross earnings.

The United States requests that 15% of the defendant's earnings which remain after all

deductions required by law have been withheld and 100% of all 1099 payments be applied to the United States' garnishment, and that the Government's garnishment take immediate effect. *See* 28 U.S.C. § 3205(c)(10).

IT IS THEREFORE ORDERED that an Order of Garnishment is hereby **ENTERED** in the amount of \$57,156.96 computed through August 20, 2010, which attaches to any earnings of the defendant and up to 15% shall be garnished in favor of the United States until the defendant's restitution debt is paid in full.

IT IS FURTHER ORDERED that upon full payment of the delinquent North Carolina State taxes currently being garnished from the defendant, the garnishee will pay the United States 25% of the defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and the garnishee will continue said payments until the debt to the United States is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to the defendant or until further Order of this court.

Signed: December 2, 2010

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

